

Department for Children and Families (DCF) Proposed Changes in H.327 and H.661

Presented to House Committee on Human Services by:

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CRRU Data

405 Substantiated investigations processed for reviews and expungements. Involved 526 victims of abuse & neglect.

Reviews (170 substantiated individuals) in 2023

Decision	# of Substantiations	% of Outcomes
Upheld	207	82.5%
Overturned or Reopened	44	17.5%

Expungements/Combos (169 substantiated individuals) in 2023

Decision	# of Substantiations	% of Outcomes
Granted	129	60.6%
Denied	46	21.6%

Calendar Year	% of Decisions Upheld
2022	85.7%
2021	82.1%
2020	86.8%

45 Decisions Appealed to the Human Services Board (HSB) in 2023

Acknowledgement: CRRU has database limitations and all information contained on this slide are estimates and hand counted.

CRRU Overturn Data (2023)

- **29** substantiated individuals had a decision overturned by the CRRU
- **6** were represented by an attorney or Vermont Parent Representation Center (VPRC) (20.6%)
- The majority of grievants who had their decisions overturned by the CRRU were not represented by an attorney or VPRC

CRRU No Contact/No Show (NC/NS) Data (2023)

- **63 of 339** grievants who requested reviews or petitioned for expungement did not follow through with scheduling or attending a review meeting (NC/NS)*
- This represents **18.6%** of CRRU's decision letters
- **3** of those individuals who had substantiations eligible for review saw the decisions overturned (**4.8%** of all NC/NS)

*Stats don't capture when an individual is only eligible for expungement and admin staff draft a withdrawal letter.

Proposed Changes in H.327 and H.661

- ❑ Extend the timeframe for requesting a review from 14 to 30 days.
- ❑ Remove specific timeframes related to an individual's expungement eligibility to align with rules.
- ❑ Provide for virtual review meetings at the Commissioner's request during states of emergency.
- ❑ Confirm current practice of sharing info with substantiated individuals when reviewers obtain additional information about the investigation from DCF.
- ❑ Raise the standard of proof to the level required at the HSB and Supreme Court.
- ❑ Allow for placement of a name on the registry without a formal review for NC/NS cases.

Family Services Division Recommends:

- Move from a reasonable person standard to preponderance of the evidence.
- Permit rulemaking for secondary considerations prior to name placement on the registry (which is discretion to not place someone's name on the Child Protection Registry (CPR)).
- Allow for one year of stakeholder engagement and workgroup processes